

THE DULY ELECTED MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF CLERMONT COUNTY, OHIO, MET IN REGULAR SESSION ON OCTOBER 20, 2010, WITH THE FOLLOWING MEMBERS PRESENT: ROBERT L. PROUD, PRESIDENT, EDWIN H. HUMPHREY, VICE PRESIDENT, AND R. SCOTT CROSWELL III, MEMBER. THE MEETING WAS CALLED TO ORDER SHORTLY AFTER 2:00 P.M. BY THE PRESIDENT OF THE BOARD WITH THE PLEDGE OF ALLEGIANCE TO OUR FLAG.

IN RE: BOARD OF COUNTY COMMISSIONERS...CHILDREN'S PROTECTIVE SERVICES TAX LEVY PRESENTATION...10-0716-006

Tim Dick, Deputy Director, Children's Protective Services, Department of Job and Family Services, addressed the Board of County Commissioners indicating he had three people in attendance today advocating for the passage of the proposed renewal of the Children's Services Tax Levy, Issue Number 5. Mr. Dick first introduced Matt Van Sant, President and CEO, Clermont Chamber of Commerce. Mr. Van Sant thanked the Commissioners for the time to talk about a very special day in Clermont County coming up in November. He is here representing the interest of the Clermont Chamber of Commerce and announced that they are interested in this levy, and their willingness is to not only endorse but co-sponsor the proposed renewal of the Children's Services Tax Levy. Mr. Van Sant, on behalf of the Chamber of Commerce and its Board of Directors, are endorsing this levy, think it is serious business and have written letters to the editors which have already been published supporting this levy. He also thanked Mark Stall, International Paper Company's xpedx Division and Board of Director, Clermont Chamber of Commerce, and Julie Graybill, Member Services Manager, Clermont Chamber of Commerce for the design and printing of 25,000 post cards that were made available to the campaign. Mr. Van Sant stated that this is important business and please vote yes for Issue Number 5. Lee Cornett, Trustee, Batavia Township and President, Clermont County Township Association, was introduced by Mr. Dick. Mr. Cornett appreciated this opportunity to address the Board and indicated that the Clermont County Township Association voted last month to endorse the Children's Services Tax Levy. The Clermont County Township Association is comprised of 42 township trustees, 14 fiscal officers and many associate members and he again reiterated their support for this levy. Mr. Dick also introduced Amanda List, Executive Director, Court Appointed Specialist Advocate (CASA) Program. Ms. List stated that CASA supports Issue Number 5 and their mission is to advocate for abuse and neglected children and they believe all children are entitled to a safe, loving and permanent home. They often rely on the services that Children Protective Services provide so that CASA can achieve their mission. She stressed that this is not a tax increase and she has great concerns should this levy not pass for our community, concerns about the harm that it will do to our families and believes there could be a spike in serious injuries to children if Children's Protective Services are not able to provide these services. Ms. List stated that CASA for Kids strongly supports the passage of this levy. Mr. Dick stated that he appreciated the citizens of Clermont County for having supported this levy since 1986 and is asking again for their support of this renewal levy, Issue Number 5, on November 2, 2010. He further indicated that if anybody has any questions, concerns, interest in becoming a poll worker or making a financial contribution to the levy campaign, they can contact them through the levy website, keepclermontkidssafe.com.

IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBER 176-10/PAYMENT OF BILLS...ADOPTED

Moved by Mr. Humphrey, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation that the Board of County Commissioners adopt **Resolution Number 176-10** resolving to approve payment to vendors **in the revised total amount of \$2,557,570.95** as set forth in the General Ledger Distribution Report(s), Vendor Invoice List Report(s), Items paid by Fund and Check Date Range Report and/or Procurement Card Transaction Report presented by the County Auditor 10/19/2010 and subsequently modified, and further authorizing the County

Auditor to issue warrants for same pursuant to Section 319.16 of the Ohio Revised Code.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Humphrey, Aye; Mr. Croswell, Yes; Mr. Proud, Yea.

**IN RE: CLERMONT COUNTY WATER RESOURCES DEPARTMENT...
CONTRACT FOR SERVICES WITH UTTER CONSTRUCTION, INC.
RELATIVE TO THE FELICITY WASTEWATER TREATMENT PLANT
CULVERT RESTORATION...10-1008-008...EXECUTED**

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of J. Dwight Culbertson, Assistant Director of Operations, with the concurrence of Thomas C. Yeager, Director of Utilities, Clermont County Water Resources Department, to execute a Contract for Services by and between the County of Clermont, Ohio, and Utter Construction, Inc., 1302 State Route 133, Bethel, Ohio 45106 for the Felicity Wastewater Treatment Plant Culvert Restoration in accordance with the Scope of Services as identified in Exhibit A, attached thereto and made a part thereof, for a total amount not to exceed \$5,280.00, with said services to be completed within 30 days of company's receipt of signed contract and notice to proceed, pursuant to and in compliance with the terms and conditions set forth therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Humphrey, Aye; Mr. Proud, Yea.

**IN RE: CLERMONT COUNTY WATER RESOURCES DEPARTMENT...
CONTRACT FOR SERVICES WITH CONCRETE CORING COMPANY
OF CINCINNATI, INC. RELATIVE TO CUTTING OUT THE
CONCRETE WALLS DIVIDING THE DRYING BEDS AT THE
O'BANNON WASTEWATER TREATMENT PLANT...10-1008-
009...EXECUTED**

Moved by Mr. Humphrey, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of J. Dwight Culbertson, Assistant Director of Operations, with the concurrence of Thomas C. Yeager, Director of Utilities, Clermont County Water Resources Department, to execute a Contract for Services by and between the County of Clermont, Ohio, and Concrete Coring Company of Cincinnati, Inc., 7210 Edington Drive, Cincinnati, Ohio 45249 for cutting out the concrete walls dividing the drying beds at the O'Bannon Wastewater Treatment Plant in accordance with the Scope of Services as identified in Exhibit A, attached thereto and made a part thereof, for a total amount not to exceed \$1,600.00, with said services to be completed within 30 days of company's receipt of signed contract and notice to proceed, pursuant to and in compliance with the terms and conditions set forth therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Humphrey, Aye; Mr. Croswell, Yes; Mr. Proud, Yea.

**IN RE: CLERMONT COUNTY WATER RESOURCES DEPARTMENT /STORM
WATER MANAGEMENT DIVISION...CONTRACT FOR
PROFESSIONAL SERVICES WITH STANTEC CONSULTING
SERVICES INC. RELATIVE TO THE HALL RUN SANITARY SEWER**

AND STREAM STABILIZATION PROJECT LOCATED WITHIN UNION TOWNSHIP...10-1008-010...EXECUTED

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of John McManus, Program Manager, Storm Water Management Division, with the concurrence of Thomas C. Yeager, Director of Utilities, Clermont County Water Resources Department, to execute a Contract for Professional Services by and between the Board of County Commissioners of Clermont County, Ohio, and Stantec Consulting Services Inc., 11687 Lebanon Road, Cincinnati, Ohio 45241 for the provision of consulting services as it relates to the construction of the Hall Run Sanitary Sewer and Stream Stabilization Project, located within Union Township, in accordance with the scope of services as identified in Exhibit A, attached thereto and made part thereof, for a total sum not to exceed \$5,730.00, with all services to be provided within one calendar year subsequent to the issuance of a written notice to proceed from the Clermont County Water Resources Department/Storm Water Management Division, pursuant to and in compliance with the terms and conditions set forth therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Humphrey, Aye; Mr. Proud, Yea.

IN RE: CLERMONT COUNTY WATER RESOURCES DEPARTMENT... CONTRACT FOR PROFESSIONAL SERVICES WITH MCGILL SMITH PUNSHON, INC. FOR PROJECT NUMBER 6402-60088 RELATIVE TO THE STATE ROUTE 132 SEWER PETITION PROJECT LOCATED WITHIN GOSHEN TOWNSHIP...10-1008-005...EXECUTED

Moved by Mr. Humphrey, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Chris Rowland, P.E., Project Manager, with the concurrence of Lyle G. Bloom, P.E., Sanitary Engineer, Clermont County Water Resources Department, to execute a Contract for Professional Services by and between the County of Clermont, Ohio, and McGill Smith Punshon, Inc., 3700 Park 42 Drive, Suite 190B, Cincinnati, Ohio 45241 for Project Number 6402-60088 relative to the State Route 132 Sewer Petition Project located within Goshen Township, for a total amount not to exceed \$24,300.00, with said services to be completed within 72 consecutive calendar days upon issuance of a written Notice to Proceed from the Clermont County Water Resources Department, exclusive of County review time, pursuant to and in compliance with the terms and conditions set forth therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Humphrey, Aye; Mr. Croswell, Yes; Mr. Proud, Yea.

IN RE: CLERMONT COUNTY WATER RESOURCES DEPARTMENT... RESOLUTION NUMBER 177-10/RESOLUTION DETERMINING TO MAKE IMPROVEMENTS KNOWN AS PROJECT NUMBER 6402-60053 (FKA 651-0034) RELATIVE TO THE CONSTRUCTION, OPERATION AND MAINTENANCE OF THE MIDDLE EAST FORK WASTEWATER TREATMENT PLANT EVALUATION AND RENOVATION – WEDGEWIRE BUILDING REHABILITATION PROJECT LOCATED IN BATAVIA TOWNSHIP AND REQUEST TO ADVERTISE FOR BIDS FOR SAME...10-1008-006 AND 10-1008-007...RATIFIED

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Chris Rowland, P.E., Project Manager, with the concurrence of Lyle G. Bloom, P.E., Sanitary Engineer, Clermont County Water Resources Department, to adopt **Resolution Number 177-10** determining to make improvements relative to the construction, operation, and maintenance of the Middle East Fork Wastewater Treatment Plant Evaluation and Renovation – Wedgewire Building Rehabilitation Project located in Batavia Township, as set forth in Exhibit A, attached thereto and made a part thereof, designated as Project Number 6402-60053 (fka 651-0034) for Contract Number 6402-60053-90, and in conformance with the detailed plans, specifications and estimates of cost and financing as herein ratified and confirmed, all of which shall be paid from one or more of any combination of the Wastewater Replacement and Improvements Fund, Wastewater Capital Improvement Fund, any portion of any federal or state grant or loan should such become available, and/or by the issuance of notes or bonds pursuant to Section 133.08 of the Ohio Revised Code, and payable from revenues derived from sewer rates and charges levied for the operation of the Clermont County Wastewater System and subsequent thereto, to approve the request to advertise for bids for Project Number 6402-60053 pursuant to the plans and specifications therefore, and to authorize the Clerk of the Board to place a Legal Notice in a newspaper of general circulation on **10/28/10**, scheduling a non-mandatory Pre-Bid Meeting on 11/18/10 at 10:00 A.M., with bids to be received therefore until **2:00 P.M. Local Time on Thursday, 12/02/10** in the Office of the Board of County Commissioners, 101 East Main Street, Batavia, Ohio 45103, where they will be publicly opened and read aloud shortly thereafter. This notice will also be posted on Clermont County's internet site.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Humphrey, Aye; Mr. Proud, Yea.

IN RE: DEPARTMENT OF JOB AND FAMILY SERVICES...REVISION TO THE SERVICE AND SUPPORT AGREEMENT WITH BIOMETRIC INFORMATION MANAGEMENT (BIM) FOR SAME...10-0831-003...APPROVED

Moved by Mr. Humphrey, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Michael R. Pride, Director, Department of Job and Family Services, with the concurrence of David L. Spinney, County Administrator, that the Board of County Commissioners, Clermont County, Ohio, on behalf of the Department of Job and Family Services, resolve to revise the effective date of the Service and Support Agreement with Biometric Information Management (BIM), 555 Metro Place North, Suite 100, Dublin, Ohio 43017 for the provision of maintenance, service and support to the Department of Job and Family Services relative to the equipment utilized to access information through the Ohio Bureau of Criminal Identification and Investigation System, previously ratified by the Board of Clermont County Commissioners on 09/08/10, from 09/08/10 to 09/07/11 to 07/01/10 to 06/30/11, inasmuch as continual supportive services have been provided to the Department of Job and Family Services as of 07/01/10, with all other terms and conditions of the afore stated agreement to remain in full force and effect.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Humphrey, Aye; Mr. Croswell, Yes; Mr. Proud, Yea.

IN RE: DEPARTMENT OF JOB AND FAMILY SERVICES...PURCHASE OF SERVICE AGREEMENT WITH CARING FOR KIDS, INC. FOR THE PROVISION OF ADOPTION SERVICES FOR SAME...10-1008-011...EXECUTED

Moved by Mr. Humphrey, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Michael R. Pride, Director, Department of Job and Family Services, with the concurrence of David L. Spinney, County Administrator, to execute a Purchase of Service Agreement by and between the County of Clermont, Ohio, and Caring for Kids, Inc., 650 Graham Road, Suite 101, Cuyahoga Falls, Ohio 44221 for the provision of adoption services for a child or children in the permanent custody of the Clermont County Department of Job and Family Services, including, but not necessarily limited to, homestudy updates, home visits, monitoring supportive services and providing written supervisory reports to the Clermont County Department of Job and Family Services, at the rate of \$2,000.00 upon placement of the child and \$2,000.00 upon court finalization, for a total amount not to exceed \$4,000.00, effective 10/13/10 through 10/12/11, pursuant to and in compliance with the terms and conditions specified therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Humphrey, Aye; Mr. Croswell, Yes; Mr. Proud, Yea.

**IN RE: OFFICE OF TECHNOLOGY, COMMUNICATIONS AND SECURITY...
CHANGE ORDER NUMBER 3 TO THE GENERAL TRADES
CONTRACT RELATIVE TO THE CLERMONT COUNTY
COMMUNICATIONS CENTER BUILDING EXPANSION AND
REMODEL PROJECT LOCATED IN BATAVIA TOWNSHIP...08-1029-
001...EXECUTED**

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Stephen H. Rabolt, Director, Office of Technology, Communications and Security, with the concurrence of David L. Spinney, County Administrator, to execute Change Order Number 3 to the General Trades Contract by and between the County of Clermont, Ohio, and Valor Construction Co., Inc., 1128 Ohio Pike, Amelia, Ohio 45102-9306, previously ratified by the Board of County Commissioners on 02/11/09, and subsequently amended on 10/7/09, 11/23/09 and 12/16/09, relative to the Clermont County Communications Center Building Expansion and Remodel Project located within Batavia Township, which represents a net increase in the amount of \$2,095.85 for a total adjusted contract price to date of \$966,801.20 for additions, deletions and/or modifications thereto as defined therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Humphrey, Aye; Mr. Proud, Yea.

**IN RE: OFFICE OF TECHNOLOGY, COMMUNICATIONS, AND SECURITY/
DIVISION OF PUBLIC SAFETY SERVICES...COLLECTIVE
BARGAINING AGREEMENT BETWEEN THE BOARD OF CLERMONT
COUNTY COMMISSIONERS, OFFICE OF TECHNOLOGY,
COMMUNICATIONS AND SECURITY/ DIVISION OF PUBLIC SAFETY
SERVICES AND FRATERNAL ORDER OF POLICE, OHIO LABOR
COUNCIL, INC., REPRESENTING EMERGENCY RESOURCE
TECHNICIANS AND PUBLIC SAFETY CALL TAKERS...10-1008-
003...EXECUTED**

Moved by Mr. Humphrey, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Stephen H. Rabolt, Director, Office of Technology, Communications and Security and Robert E. Sander, Director, Department of Human Resources, with the concurrence

of David L. Spinney, County Administrator, to execute the Collective Bargaining Agreement by and between the County of Clermont, Ohio, and the Fraternal Order of Police, Ohio Labor Council, Inc., representing the Emergency Resource Technicians and the Public Safety Call Takers in the Office of the Technology, Communications and Security, Division of Public Safety Services, effective for the period 01/01/09 through 12/31/10, pursuant to and in compliance with the terms and conditions specified therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Humphrey, Aye; Mr. Croswell, Yes; Mr. Proud, Yea.

**IN RE: OFFICE OF TECHNOLOGY, COMMUNICATIONS AND SECURITY/
EMERGENCY MANAGEMENT AGENCY...CONTRACT FOR
PROFESSIONAL SERVICES WITH BROWN COUNTY BOARD OF
COMMISSIONERS FOR THE PROVISION OF EMERGENCY
MANAGEMENT AGENCY SERVICES FOR BROWN COUNTY...10-
1019-004...EXECUTED**

Moved by Mr. Humphrey, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Beth Nevel, Director, Clermont County Emergency Management Agency, with the concurrence of Stephen H. Rabolt, Director, Office of Technology, Communications and Security and David L. Spinney, County Administrator, to execute a Contract for Professional Services by and between the Board of County Commissioners, Clermont County, Ohio and the Board of County Commissioners, Brown County, Ohio, 800 Mt. Orab Pike, Suite 101, Georgetown, Ohio 45121, to provide Brown County with Emergency Management Agency Services in accordance with the Scope of Services identified in Exhibit A, attached thereto and made a part thereof, in the amount not to exceed \$3,000.00, for a term of sixty (60) days, beginning on 10/22/10 and ending on 12/21/10, pursuant to Section 307.15 of the Ohio Revised Code and in compliance with the terms and conditions set forth therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Humphrey, Aye; Mr. Croswell, Yes; Mr. Proud, Yea.

**IN RE: DEPARTMENT OF HUMAN RESOURCES...WORKER'S
COMPENSATION SERVICE AGENCY AGREEMENT WITH
COMPMANAGEMENT, INC. FOR RECEIVING, PROCESSING,
ANALYZING, AND EXAMINING CLAIMS FILED AGAINST THE
COUNTY'S RISK WITH THE OHIO BUREAU OF WORKERS'
COMPENSATION...10-1008-004...EXECUTED**

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Robert E. Sander, Director, Department of Human Resources, with the concurrence of David L. Spinney, County Administrator, to authorize Robert L. Proud, President of the Board of County Commissioners, to execute a Worker's Compensation Service Agency Agreement by and between the Board of County Commissioners of Clermont County, Ohio, and CompManagement, Inc., P.O. Box 884, Dublin, Ohio 43017-0884 designating CompManagement, Inc. as the exclusive Agent of the County of Clermont, Ohio, to receive, process, analyze, and examine claims filed against the County's risk with the Ohio Bureau of Workers' Compensation, at a cost not to exceed \$10,285.00, effective for the period of 11/01/10 through 10/31/11, pursuant to and in compliance with the terms and conditions set forth therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Humphrey, Aye; Mr. Proud, Yea.

IN RE: DEPARTMENT OF HUMAN RESOURCES...EXECUTION OF APPLICATION FOR RETROSPECTIVE-RATING PLAN FOR PUBLIC EMPLOYERS WITH THE OHIO BUREAU OF WORKERS' COMPENSATION FOR CLERMONT COUNTY'S PARTICIPATION IN CALENDAR YEAR 2011...10-1015-001...EXECUTED

Moved by Mr. Humphrey, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Robert E. Sander, Director, Department of Human Resources, with the concurrence of David L. Spinney County Administrator, to authorize Clermont County's participation in the Ohio Bureau of Workers' Compensation Retrospective-Rating Plan (Policy Number 31300001) for the period January 1, 2011 through December 31, 2011, and further to authorize Robert L. Proud, President of the Board of County Commissioners, to execute the Application for Retrospective-Rating Plan for Public Employers Form U-21 relative thereto, pursuant to and in compliance with the terms and conditions set forth therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Humphrey, Aye; Mr. Croswell, Yes; Mr. Proud, Yea.

IN RE: CLERMONT TRANSPORTATION CONNECTION...EXECUTION OF AGREEMENT WITH AC ELECTRICAL SYSTEMS, INC. FOR THE ELECTRICAL CONTRACT FOR THE CONSTRUCTION OF THE CTC FACILITY RENOVATION/IMPROVEMENT PHASE I PROJECT...10-1012-001... EXECUTED

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Ben Capelle, Director, Clermont Transportation Connection, with the concurrence of David L. Spinney, County Administrator, to authorize Robert L. Proud, President of the Board of County Commissioners, or in his absence, any other member of the Board of County Commissioners, to execute the Agreement by and between the County of Clermont, Ohio, and AC Electrical Systems, Inc., 9866 Harrison Avenue, Harrison, Ohio 45030 for the Electrical Contract for the Construction of the CTC Facility Renovation/Improvement Phase I Project in the amount of \$119,000.00 pursuant to and in compliance with the terms and conditions set forth therein and in concert with the award of bid therefore on 10/11/2010.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Humphrey, Aye; Mr. Proud, Yea.

IN RE: COUNTY ENGINEER...CHANGE ORDER NUMBER 1 TO THE CONTRACT WITH BROSHEAR CONTRACTORS, INC. FOR PROJECT NUMBER BA-03-05 RELATIVE TO THE OLD SR 74 EXTENSION TO COLLEGE DRIVE PROJECT LOCATED IN BATAVIA TOWNSHIP...10-0308-004...EXECUTED

Moved by Mr. Humphrey, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to execute Change Order Number 1 to the Contract with Broshear Contractors, Inc., 2520 Millville-Ross Road, Hamilton, Ohio 45013, previously ratified by the Board on 05/26/10, for Project Number BA-03-05 relative to the Old SR 74 Extension to College Drive Project located in Batavia Township, which represents a decrease in the amount of \$11,250.00, for a total adjusted contract price to date of \$692,012.00, for additions, deletions and/or modifications thereto as defined therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Humphrey, Aye; Mr. Croswell, Yes; Mr. Proud, Yea.

IN RE: COUNTY ENGINEER...AWARD OF BID FOR PROJECT NUMBER RS-15-10 RELATIVE TO THE 2010 ROAD RESURFACING PROGRAM LOCATED IN VARIOUS TOWNSHIPS AND EXECUTION OF CONTRACT RELATIVE THERETO...10-0809-001...RATIFIED

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to award the bid for Project Number RS-15-10 relative to the 2010 Road Resurfacing Program located in Various Townships, pursuant to the specifications, to John R. Jurgensen Company, 11641 Mosteller Road, Cincinnati, Ohio 45241 for the lowest and best bid received on 09/09/10, in the amount of \$418,628.93, and to execute the Contract relative thereto, pursuant to and in compliance with the terms and conditions set forth therein and the award of bid therefore.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Humphrey, Aye; Mr. Proud, Yea.

IN RE: COUNTY ENGINEER...RESOLUTION NUMBER 178-10/RESOLUTION FINDING THAT IVY TRAILS, LLC FAILED TO COMPLETE THE TERMS OF THE PERFORMANCE BOND FOR SIDEWALKS DATED THE 11TH DAY OF MAY 2005, SECURED BY AN IRREVOCABLE LETTER OF CREDIT NUMBER 12500882-00-000 OF PNC BANK, NATIONAL ASSOCIATION, CLEVELAND, OHIO (F.K.A. NATIONAL CITY BANK) AND AUTHORIZING RECOVERY AGAINST THE LETTER OF CREDIT FOR COMPLETION OF THE PERFORMANCE ASPECTS OF THE BOND...05-0511-002...ADOPTED

Moved by Mr. Humphrey, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to adopt **Resolution Number 178-10** resolving (1) to certify that Ivy Trails, LLC has defaulted on the terms and conditions set forth in the Performance Bond for Sidewalks secured by Irrevocable Standby Letter of Credit Number 12500882-00-000 in the amount of \$18,500.00 issued by PNC Bank, National Association, 23000 Millcreek Blvd, Cleveland, Ohio 44122 (fka National City Bank) as Surety for Ivy Trails Subdivision, Section 2, (aka Section 2A) located in Union Township, ratified by the Board of County Commissioners on 05/11/05, by failing to perform the completion, construction, repair and maintenance of sidewalks therefore and that the Board of County Commissioners is obligated to complete the performance thereof and (2) to determine that the amount necessary to complete and perform such construction and/or maintenance activities to cure the default by Ivy Trails, LLC is in the amount of \$18,500.00 and that the County Engineer is hereby authorized and directed to present

to PNC Bank, National Association, a certified copy of this resolution together with a draft in the amount of \$18,500.00 as demand for payment pursuant to and in compliance with the terms and conditions set forth in Irrevocable Standby Letter of Credit Number 12500882-00-000 on or before October 31, 2010, and (3) upon review and approval of the Office of the Prosecuting Attorney of Clermont County, Ohio, the County Engineer is hereby authorized to execute all necessary documents and/or bank drafts on behalf of Clermont County and/or the Clermont County Board of Commissioners to complete recovery and deposit of said sum to the benefit of the County for the construction and/or maintenance activities required for the completion thereof.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Humphrey, Aye; Mr. Croswell, Yes; Mr. Proud, Yea.

IN RE: PROSECUTING ATTORNEY...RECIPIENT ORGANIZATION AGREEMENT RELATIVE TO THE 2010-2011 VICTIMS OF CRIME ACT (VOCA)/STATE VICTIMS ASSISTANCE ACT (SVAA) GRANT AWARD FOR OHIO CRIME VICTIM ASSISTANCE FUNDS FROM THE STATE OF OHIO/OFFICE OF THE ATTORNEY GENERAL FOR THE CONTINUATION OF THE CLERMONT COUNTY COURT OF COMMON PLEAS AND CLERMONT COUNTY MUNICIPAL COURT ADVOCATE PROGRAMS IMPLEMENTED BY SAME...10-0615-006...EXECUTED

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Donald W. White, Prosecuting Attorney, with the concurrence of David L. Spinney, County Administrator, to authorize Robert L. Proud, President of the Board of County Commissioners, or in his absence, any other member of the Board of County Commissioners, to execute a Recipient Organization Agreement by and between the County of Clermont, Ohio, and the Ohio Attorney General, 30 East Broad Street, 17th Floor, Columbus, Ohio 43215-3400 in and as it relates to the 2010-2011 Victims of Crime Act (VOCA)/State Victims Assistance Act (SVAA) Grant Award for State Grant Numbers 2011VAGENE088 and 2011SAGENE088, respectively, for Ohio Crime Victim Assistance Funds from the State of Ohio/Office of the Attorney General, Crime Victims Assistance and Prevention, 150 East Gay Street, 25th Floor, Columbus, Ohio 43215 for the continuation of the Advocate Programs to provide/extend victim advocate services to the Clermont County Court of Common Pleas and the Clermont County Municipal Court, implemented by the Prosecuting Attorney, in the amount of \$98,614.00, with a required cash match of \$32,871.00 to be provided from the 2010/2011 General Fund Appropriation for the Prosecuting Attorney, for a total VOCA Program amount of \$131,485.00 and an amount of \$6,586.00 for the SVAA Program with no local match required therefore, for the period of 10/01/10 through 09/30/11, in concert with the Application and the VOCA and SVAA Grant Award and Acceptance Form ratified by the Board of County Commissioners on 06/21/10 and 09/22/10, respectively, pursuant to and in compliance with the terms and conditions set forth therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Humphrey, Aye; Mr. Proud, Yea.

IN RE: CLERMONT COUNTY JUVENILE COURT...RECIPIENT ORGANIZATION AGREEMENT RELATIVE TO THE 2010-2011 VICTIMS OF CRIME ACT (VOCA)/STATE VICTIMS ASSISTANCE ACT (SVAA) GRANT AWARD FOR OHIO CRIME VICTIM ASSISTANCE FUNDS FROM THE STATE OF OHIO/OFFICE OF THE ATTORNEY GENERAL FOR THE CONTINUATION OF THE COURT

**APPOINTED SPECIALIST ADVOCATE (CASA) PROGRAM
IMPLEMENTED BY SAME...10-0621-007...EXECUTED**

Moved by Mr. Humphrey, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Judge Stephanie Wyler, Clermont County Juvenile Court, with the concurrence of David L. Spinney, County Administrator, to authorize Robert L. Proud, President of the Board of County Commissioners, or in his absence, any other member of the Board of County Commissioners, to execute a Recipient Organization Agreement by and between the County of Clermont, Ohio, and the Ohio Attorney General, 30 East Broad Street, 17th Floor, Columbus, Ohio 43215-3400 in and as it relates to the 2010-2011 Victims of Crime Act (VOCA)/State Victims Assistance Act (SVAA) Grant Award for State Grant Number 2011VACHAE535, for Ohio Crime Victim Assistance Funds from the State of Ohio/Office of the Attorney General, Crime Victims Assistance and Prevention, 150 East Gay Street, 25th Floor, Columbus, Ohio 43215 for the continuation of the Court Appointed Specialist Advocate (CASA) Program, in the amount of \$23,221.00, with a required local match of \$7,740.00 to be provided through In-Kind Services, for a total VOCA Program amount of \$30,961.00, for the period of 10/01/10 through 09/30/11, in concert with the Application and the VOCA and SVAA Grant Award and Acceptance Form ratified by the Board of County Commissioners on 06/21/10 and 09/22/10, respectively, pursuant to and in compliance with the terms and conditions set forth therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Humphrey, Aye; Mr. Croswell, Yes; Mr. Proud, Yea.

**IN RE: BOARD OF COUNTY COMMISSIONERS...ONLINE GRANT
APPLICATION FOR FUNDING THROUGH THE DUKE ENERGY
FOUNDATION FOR THE CLERMONT COUNTY SUSTAINABILITY
INITIATIVES PROJECT...10-1008-002...APPROVED**

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Scot Lahrmer, Assistant County Administrator, with the concurrence of David L. Spinney, County Administrator, to authorize Kelly Perry, GIS Program Administrator, on behalf of the Clermont County Sustainability Committee, to file an Online Grant Application for Funding with The Duke Energy Foundation, P.O. Box 8499, Princeton, New Jersey 08543-8499 for the Clermont County Sustainability Initiatives Project in the amount of \$5,000.00, with no local/in-kind match required therefore, for a total project budget of \$5,000.00.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Humphrey, Aye; Mr. Proud, Yea.

**IN RE: BOARD OF COUNTY COMMISSIONERS...JOINT APPLICATION WITH
THE PROSECUTING ATTORNEY TO THE CLERMONT COUNTY
COURT OF COMMON PLEAS FOR EMPLOYMENT OF LEGAL
COUNSEL FOR MATTERS RELATIVE TO THE CECOS FACILITY
AND OTHER ENVIRONMENTAL MATTERS AS NEEDED FOR SAME
...10-1011-001...EXECUTED**

Moved by Mr. Humphrey, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of David L. Spinney, County Administrator, to authorize Robert L. Proud, President of the Board of County Commissioners, to execute a Joint Application with the Prosecuting Attorney to the Clermont County Court of Common Pleas for the employment of Legal Counsel with the following law firm as Special Counsel to represent the Board of County Commissioners in its official capacity and to advise it on legal matters as outlined therein, with compensation therefore at the rates and/or not to exceed total amount as outlined below for the remainder of Calendar Year 2010 through Calendar Year 2011, pursuant to and in compliance with Section 305.14 of the Ohio Revised Code:

Law Firm	Legal Matter(s)	Hourly Rate	Total Amount Not to Exceed
Schottenstein, Zox & Dunn, L.P.A. Arena District 250 West Street Columbus, Ohio 43215	Legal counsel for matters relative to the CECOS Facility on Aber Road, Williamsburg, Ohio, and the defense of the litigation brought by the State of Ohio involving the County's alleged violation of its NPDES permits, the recovery of damages from all parties responsible for the negligent design, installation, or other aspects of the treatment works at the Lower East Fork sewage treatment plant, the Harsha Lake Water supply, and such other environmental matters as the Board of County Commissioners may from time to time designate.	Attorneys/Principal \$365.00 Attorneys/Associates \$285.00 Law Clerks \$150.00 Paralegals \$175.00	\$250,000.00

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Humphrey, Aye; Mr. Croswell, Yes; Mr. Proud, Yea.

IN RE: BOARD OF COUNTY COMMISSIONERS...AMENDMENT NUMBER 1 TO THE CONTRACT FOR PROFESSIONAL SERVICES WITH BENNETT & WILLIAMS, ENVIRONMENTAL CONSULTANTS, INC. FOR PROFESSIONAL CONSULTING, HYDROGEOLOGIC AND ENGINEERING SERVICES RELATIVE TO THE INVESTIGATION AND POTENTIAL LITIGATION OF ISSUES RELATING TO THE ABER ROAD FACILITY OF CECOS INTERNATIONAL, IN CONCERT WITH THE CONTRACT FOR EMPLOYMENT OF LEGAL COUNSEL WITH SCHOTTENSTEIN, ZOX & DUNN, LPA...10-0317-006...EXECUTED

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of David L. Spinney, County Administrator, to execute Amendment Number 1 to the Contract for Professional Services by and between the County of Clermont, Ohio, and Bennett & Williams, Environmental Consultants, Inc., 98 County Line Road West, Suite C, Westerville, Ohio 43082, previously ratified by the Board of County Commissioners on 03/24/10, for the provision of professional consulting, hydrogeologic and engineering services relative to the investigation and potential litigation of issues relating to the past, present and future operations of and conditions at and emanating from the Aber Road facility of CECOS International, located at 5092 Aber Road, Williamsburg, Ohio 45176, in concert with the Contract for Employment of Legal Counsel with Schottenstein, Zox & Dunn, LPA, 250 West Street, Columbus, Ohio 43125, which represents an increase in the amount of \$150,00.00, for a total revised contract amount not to exceed \$263,686.00, with all other terms and conditions of the original Contract to remain in full force and effect.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Humphrey, Aye; Mr. Proud, Yea.

IN RE: BOARD OF COUNTY COMMISSIONERS...RENEWAL OF CONTRACT WITH CLERMONT SENIOR SERVICES, INC. FOR THE PROVISION OF SERVICES OR FACILITIES TO BE PROVIDED TO THE SENIOR CITIZENS OF CLERMONT COUNTY, OHIO, DURING CALENDAR YEAR 2011 IN CONJUNCTION WITH THE 1.3 MILL TAX LEVIED UPON REAL PROPERTY OF THE COUNTY OF CLERMONT, OHIO, RELATIVE THERETO...09-1022-001...APPROVED

Moved by Mr. Humphrey, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of David L. Spinney, County Administrator, to exercise the first renewal option of the Contract by and between the County of Clermont, Ohio, and Clermont Senior Services, Inc., 2085 James E. Sauls Sr. Drive, Batavia, Ohio 45103, pursuant to Article 1 of the 2010 Contract dated 12/09/09, for continuation of the provision of services or facilities to the senior citizens of Clermont County as those persons are defined in the "Older Americans' Act of 1965" 42 U.S.C., Sections 3001, et. seq., during Calendar Year 2011, in conjunction with the 1.3 mill tax levied upon real property of the County of Clermont, Ohio, with all of the terms and conditions set forth in the original contract to remain in full force and effect, pursuant to the letter of intent to renew executed by Robert L. Proud, President of the Board of County Commissioners, on 10/20/10 and contingent upon the adoption of the Annual Appropriations for Fiscal Year 2011 and the issuance of a purchase order therefore.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Humphrey, Aye; Mr. Croswell, Yes; Mr. Proud, Yea.

IN RE: BOARD OF COUNTY COMMISSIONERS ... FINANCIAL/BUDGETARY ACTIONS FOR FISCAL YEAR 2010...APPROVED

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of the Office of Management and Budget, with the concurrence of David L. Spinney, County Administrator, to approve financial/budgetary actions pursuant to Ohio Revised Code Section 5705.40 as they relate to changes in the Annual Appropriation Resolution for Fiscal Year 2010 (Resolution Number 211-09) and/or interfund transactions as outlined in the following table(s) and to authorize Linda Fraley, County Auditor, to properly record same:

SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2010:

AMOUNT	FUND / ORGANIZATION	FUNCTION - DIVISION - ORG CODES	OBJECT CODE	OBJECT DESCRIPTION	PROJECT CODE AND DESCRIPTION (if applicable)
\$ 22,000.00	Narcotics Unit Fund 2502	04-19-443000	511200	Regular Salary	
\$ 40,000.00	Narcotics Unit Fund 2502	04-19-443000	511700	Bargaining Unit Salary	
\$ 16,800.00	Narcotics Unit Fund 2502	04-19-443000	520000	Fringe Benefits	

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Humphrey, Aye; Mr. Proud, Yea.

LET THE RECORD SHOW: That a motion by Mr. Humphrey, seconded by Mr. Croswell, to approve the minutes of Regular Session of **10/20/10** carried with all members present voting affirmatively thereon.

IN RE: ADJOURNMENT...APPROVED

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

That the Board of County Commissioners, noting no further business to come before the commission for legislative action, adjourned this Regular Session at 2:53 P.M. until the next regularly scheduled session to be held at a later date.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Humphrey, Aye; Mr. Proud, Yea.

**BOARD OF COUNTY COMMISSIONERS
CLERMONT COUNTY, OHIO**

**ROBERT L. PROUD, PRESIDENT
EDWIN H. HUMPHREY, VICE PRESIDENT
R. SCOTT CROSWELL III, MEMBER**

JUDITH KOCICA, CLERK OF THE BOARD

DATE APPROVED – 10/20/10